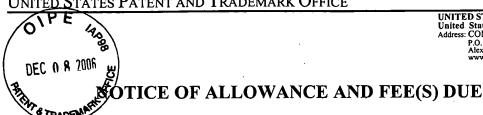


## United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

11/22/2006

The Firm of Hueschen and Sage 500 Columbia Plaza 350 East Michigan Avenue Kalamazoo, MI 49007

| EXAMINER                 |  |  |  |  |  |
|--------------------------|--|--|--|--|--|
| DAVIS, ZINNA NORTHINGTON |  |  |  |  |  |
| ART UNIT PAPER NUMBER    |  |  |  |  |  |

1625

DATE MAILED: 11/22/2006

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR       | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------------|---------------------|------------------|
| 10/920 004      | 04/08/2004  | Sonhie Poissonnier-Durieux | SERVIER 418         | 8854             |

TITLE OF INVENTION: NEW ISOQUINOLINE COMPOUNDS

| , APPLN. TYPE  | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   | $\rfloor$ |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|-----------|
| nonprovisional | NO           | \$1400        | \$300               | \$0                  | \$1700           | 02/22/2007 |           |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B -Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or Fax (571)-273-2885

| INSTRUCTIONS: This   | form should be used f   | for transmitting the ISSU  | JE FEE and PUBLICATI   | ON FEE (if requi  | red). Bloc  | ks 1 through 5 sh  | nould be completed where  |
|--|---|--|--|---|---|--|---|
| appropriate. All further indicated unless correcte maintenance fee notifica  | ed below or directed oth  | nerwise in Block 1, by (a  |  |   |   |  | correspondence address as rate "FEE ADDRESS" for  |
| ·  |   |  | Fee(   | s) Transmittal Thi  | is certificat<br>I paper, su                          | e cannot be used fo<br>ch as an assignmen  | r domestic mailings of the or any other accompanying nt or formal drawing, must                               |
|  | 7590 11/22  | /2006  |  | Cer   | tificate of   | Mailing or Transı  | mission   |
| The Firm of Hu<br>500 Columbia P<br>350 East Michig  | · · · · · · · · · · · · · · · · · · ·   |  | I he<br>State<br>addr<br>trans   | reby certify that the   | is Fee(s) T   | ransmittal is being  | deposited with the United<br>t class mail in an envelope<br>above, or being facsimile<br>ate indicated below. |
| Kalamazoo, MI  | 49007   |  |  |   |   |  | (Depositor's name)  |
|  |   |  |  |   |   |  | (Signature)   |
|  |   |  |  |   |   |  | (Date)  |
| APPLICATION NO.  | FILING DATE   |  | FIRST NAMED INVENTOR   |   | ATTORNE   | EY DOCKET NO.  | CONFIRMATION NO.  |
| 10/820,904   | 04/08/2004  | \$   | Sophie Poissonnier-Durieux   | K   | SER   | RVIER 418  | 8854  |
| TITLE OF INVENTION   | I: NEW ISOQUINOLIN  | E COMPOUNDS  |  |   |   |  |   |
| APPLN. TYPE  | SMALL ENTITY  | ISSUE FEE DUE  | PUBLICATION FEE DUE  | PREV. PAID ISSU   | E FEE T   | OTAL FEE(S) DUE  | DATE DUE  |
| nonprovisional   | NO  | \$1400   | \$300  | \$0   |   | \$1700   | 02/22/2007  |
| EXAM   | IINER   | ART UNIT   | CLASS-SUBCLASS   |   |   |  |   |
| DAVIS, ZINNA 1   | NORTHINGTON   | 1625   | 514-307000   |   |   |  |   |
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  2. For printing on the patent front page, list  (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. |   |  |  |   |   |  |   |
|  | less an assignee is ident<br>th in 37 CFR 3.11. Comp  |  | THE PATENT (print or type data will appear on the part of the part | atent. If an assign<br>assignment.  |   |  | ocument has been filed for  |
| Please check the appropr   | riate assignee category or  | categories (will not be p  | rinted on the patent) :  | Individual Co   | orporation  | or other private gro   | oup entity Government   |
| 4a. The following fee(s) are submitted:    Issue Fee   |   |  |  | ficiency, or credit any   |   |  |   |
|  | tus (from status indicate   | *  | D  |   |   |  |   |
| * *  | s SMALL ENTITY state  |  | b. Applicant is no lon   | -   |   |  |   |
| interest as shown by the   | records of the United Sta   | ates Patent and Trademark  | c Office.  | applicant, a logi   |   |  | ne assignee or other party in   |
| Authorized Signature   |   |  |  | Date  |   |  |   |
| Typed or printed name Registration No  |   |  |  |   |   |  |   |
| This collection of informan application. Confiden submitting the complete this form and/or suggest   | nation is required by 37 C<br>tiality is governed by 35<br>d application form to the<br>ions for reducing this bu | CFR 1.311. The information U.S.C. 122 and 37 CFR USPTO. Time will vary rden, should be sent to the | on is required to obtain or 1.14. This collection is est depending upon the individe Chief Information Office  | retain a benefit by timated to take 12 ridual case. Any coor, U.S. Patent and | the public v<br>minutes to<br>omments or<br>Trademark | which is to file (and complete, including the amount of tire Office, U.S. Department | by the USPTO to process) g gathering, preparing, and me you require to complete artment of Commerce, P.O.     |

Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

| APPLICATION NO.                       | FILING DATE                                      | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO. |  |
|---------------------------------------|--|----------------------|---------------------------------|------------------|--|
| 10/820,904                            | 10/820,904 04/08/2004 Sophie Poissonnier-Durieux |                      | SERVIER 418                     | 8854             |  |
| 7                                     | 590 11/22/2006                                   |                      | EXAM                            | INER .           |  |
| The Firm of Hueschen and Sage         |  |                      | DAVIS, ZINNA NORTHINGTON        |                  |  |
| 500 Columbia Plaz                     |  |                      | ART UNIT                        | PAPER NUMBER     |  |
| 350 East Michigar<br>Kalamazoo, MI 49 |  |                      | 1625<br>DATE MAILED: 11/22/2000 | 6                |  |

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 249 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 249 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

|  | Application No.  | Applicant(s)                                |  |  |  |  |  |
|--|--|---|--|--|--|--|--|
| É  | 10/820,904   | POISSONNIER-DURIEUX ET AL.                  |  |  |  |  |  |
| Notice of Allowability   | Examiner   | Art Unit                                    |  |  |  |  |  |
|  | The sale of the sale of David  | 1635  |  |  |  |  |  |
|  | Zinna Northington Davis  | 1625  |  |  |  |  |  |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. |  |   |  |  |  |  |  |
| 1. X This communication is responsive to the Amendment, IDS, and Declaration under 37 CFR 1.132 filed September 11, 2006.  |  |   |  |  |  |  |  |
| 2. The allowed claim(s) is/are 1-15 and 17 ( now renumbered  | as 1-16, respectively).  |   |  |  |  |  |  |
| 3. ☑ Acknowledgment is made of a claim for foreign priority un a) ☐ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents have   |  |   |  |  |  |  |  |
| 2. Certified copies of the priority documents have   | been received in Application No  | ·   |  |  |  |  |  |
| 3. Copies of the certified copies of the priority doc  | cuments have been received in this i   | national stage application from the         |  |  |  |  |  |
| International Bureau (PCT Rule 17.2(a)).   |  |   |  |  |  |  |  |
| * Certified copies not received:   |  |   |  |  |  |  |  |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF  |  |   |  |  |  |  |  |
| INFORMAL PATENT APPLICATION (PTO-152) which give   | es reason(s) why the oath or declara   | tion is deficient.                          |  |  |  |  |  |
| 5. CORRECTED DRAWINGS (as "replacement sheets") mus  |  | 049) attached                               |  |  |  |  |  |
| (a) including changes required by the Notice of Draftspers   |  | 940) attached                               |  |  |  |  |  |
| 1) hereto or 2) to Paper No./Mail Date   |  | Office action of                            |  |  |  |  |  |
| Paper No./Mail Date  |  |   |  |  |  |  |  |
| Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t   | .84(c)) should be written on the drawing the header according to 37 CFR 1.121( | ngs in the front (not the back) of<br>d).   |  |  |  |  |  |
| 6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT  | sit of BIOLOGICAL MATERIAL r<br>FOR THE DEPOSIT OF BIOLOGIC                    | nust be submitted. Note the<br>AL MATERIAL. |  |  |  |  |  |
|  |  |   |  |  |  |  |  |
|  |  |   |  |  |  |  |  |
|  |  | ·   |  |  |  |  |  |
| Attachment(s)  |  |   |  |  |  |  |  |
| 1 Notice of References Cited (PTO-892)   | 5. Notice of Informal F  | ' '   |  |  |  |  |  |
| 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 6. ☐ Interview Summary (PTO-413), Paper No./Mail Date   |  |   |  |  |  |  |  |
| 3. ⊠ Information Disclosure Statements (PTO/SB/08), 7. ⊠ Examiner's Amendment/Comment  Paper No./Mail Date  7. ⊠ Examiner's Amendment/Comment  |  |   |  |  |  |  |  |
| 4.   Examiner's Comment Regarding Requirement for Deposit  | 8. 🛭 Examiner's Stateme  | ent of Reasons for Allowance                |  |  |  |  |  |
| of Biological Material   | 9.   |   |  |  |  |  |  |
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Application/Control Number: 10/820,904

Art Unit: 1625

#### **EXAMINER'S AMENDMENT**

- 1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
- 2. Authorization for this examiner's amendment was given in a telephone interview with Ms. Michele Cudahy on November 21, 2006.
- 3. The application has been amended as follows:

Claim 17 has been amended to read in favor of:

--17. (Currently amended) A method for treating a living animal body afflicted with a disorder selected from depression, seasonal affective disorders, schizophrenia, panic attacks, psychotic disorders, and senile dementia, comprising the step of administering to the animal body an amount of a compound of claim 1 which is effective for alleviation of the disorder.--.

#### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

- 4. Based upon the Amendment filed September 11, 2006, the rejection under 35 USC 112, 2<sup>nd</sup> paragraph is withdrawn.
- 5. The Delagrange Declaration under 37 CFR 1.132 filed September 11, 2006 has been considered. The declaration shows that there is a correlation between melatoninergic receptor binding affinity and the treatment of specific disease states. As such, the method claim has been rejoined.

Application/Control Number: 10/820,904

Art Unit: 1625

6. The subject matter of original non-elected claims 17 and 18 has rejoined with the invention of Group I, claims 1-15.

- 7. To meet the requirements of 35 USC 112, 1<sup>st</sup> paragraph, claim 17 has been amended. Support for this change is found at pages 10 and 27.
- 8. The changes made by Examiner's Amendment are not made to avoid any possible rejections based upon prior art.
- 9. Applicants preserve the right to file divisional applications drawn to the nonelected subject matter.
- 10. The Information Disclosure Statement filed September 11, 2006 has been considered. The references alone or in combination forms do not teach nor suggest the invention as instantly claimed. Accordingly, claims 1-15 and 17 are allowed.
- 11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
- 12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zinna N. Davis whose telephone number is 571-272-0682.
- 13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

  Status information for unpublished applications is available through Private PAIR only.

Application/Control Number: 10/820,904

Art Unit: 1625

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zinna Northington Davis
Primary Examiner
Group 1600-AU 1625

Znd 11.21.2006

| Interview Summary   | 10/820,904   | 0,904 POISSONNIER-DU<br>AL.               |   | -DURIEUX ET                       |  |  |  |
|---|--|---|---|-----------------------------------|--|--|--|
| mlerview Summary  | Examiner   |   | Art Unit                                    |                                   |  |  |  |
|   | Zinna Northingtor                                    | n Davis                                   | 1625  |                                   |  |  |  |
| All participants (applicant, applicant's representative, PTO personnel):  |  |   |   |                                   |  |  |  |
| (1) Zinna Northington Davis.  | (3)  |   |   |                                   |  |  |  |
| (2) Michele Cudahy.   | (4)  |   |   |                                   |  |  |  |
| Date of Interview: 21 November 2006.  | ·  |   |   |                                   |  |  |  |
| Type: a)⊠ Telephonic b)□ Video Conference c)□ Personal [copy given to: 1)□ applicant  | 2)∏ applicant's re                                   | epresentative                             | ]   |                                   |  |  |  |
| Exhibit shown or demonstration conducted: d) Yes If Yes, brief description:   | e)⊠ No.  |   |   |                                   |  |  |  |
| Claim(s) discussed: <u>all</u> .  |  |   |   |                                   |  |  |  |
| Identification of prior art discussed:  |  |   |   | ·                                 |  |  |  |
| Agreement with respect to the claims f)⊠ was reached. of  | g) was not read                                      | hed. h)∏ N                                | 1/A.  |                                   |  |  |  |
| Substance of Interview including description of the general reached, or any other comments: Claim 17 will be amended Amendment.   | I nature of what w<br>ed. The necessary              | as agreed to<br>changes wil               | if an agreemer<br>I be made by E            | nt was<br><u>xaminer's</u>        |  |  |  |
| (A fuller description, if necessary, and a copy of the amend<br>allowable, if available, must be attached. Also, where no dallowable is available, a summary thereof must be attached   | copy of the amend                                    | examiner ag<br>Iments that w              | reed would ren<br>rould render the          | der the claims<br>e claims        |  |  |  |
| THE FORMAL WRITTEN REPLY TO THE LAST OFFICE A INTERVIEW. (See MPEP Section 713.04). If a reply to the GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW on reverse side or on attached sheet. | e last Office action<br>OF ONE MONT!<br>FERVIEW SUMM | n has already<br>H OR THIRTY<br>ARY FORM, | been filed, AP<br>YDAYS FROM<br>WHICHEVER I | PLICANT IS<br>THIS<br>S LATER, TO |  |  |  |
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|   |  |   |   |                                   |  |  |  |
| Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.  | Ex   | aminer's sign                             | ature, if require                           | ed .                              |  |  |  |

Application No.

Applicant(s)

## **Summary of Record of Interview Requirements**

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed.
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
  - (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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